

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.19030 OF 2009

ORDER:

The petitioner prays for the following relief:

“.. issue writ order or direction more particularly one in the nature of Mandamus declaring the action of the respondent No.1 & 2 in conducting interviews to the post of casual workers (Cargo Handling Operations) vide notification Ref. E1/R/CAS work/SC/ST/2009/6865 dt. 09-07-2009 as illegal, arbitrary and in violation of principles of natural justice and the judgement of the Hon'ble Supreme Court of India 1996 (6) scale 676, Excise Superintendent Vs.K.S.N. Vishweshara Rao and consequently direct the respondents 1 & 2 to allow the petitioners to participate in the selection process to the post of casual workers (Cargo Handling Operations) Traffic Department, Visakhapatnam Port Trust, in the event of selection necessary appointment orders may be given to the petitioners..”

On 17,09.2009, the respondent filed counter affidavit. On 24.09.2009, this Court upon hearing the counsel appearing for the parties and also the stand of respondents 1 and 2, was pleased to issue the following.

“The petitioners shall be allowed to participate in the selection process in case, they are otherwise qualified, i.e. they shall not be disallowed to participate in the selection process on account of their being not sponsored through employment exchange.

Post after vacation.”

At the time of hearing Mr. A. Krishnaam Raju, learned counsel for respondents 1 and 2 submits that a notification was issued on 01.10.2009. In all, the respondent-corporation received 2071 applications, the selected candidates were subjected to selection process and finally on 10.11.2012 appointment orders were issued.

In view of the fact that a notification was issued on 01.10.2009 and appointment orders were issued on 10.11.2012, I am of the view that the cause of action in writ petition more particularly, having regard to

the interim order dated 24.09.2009, does not survive.

The writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

J

S.V.BHATT,

Date:15.02.2016

Stp